

# Primary Source

Frederick Douglass, "Speech on the Civil Rights Cases," 1883



Guiding Question: To what extent did Founding principles of liberty, equality, and justice become a reality for African Americans from Reconstruction to the end of the nineteenth century?

- ☐ I can interpret primary sources related to Founding principles of liberty, equality, and justice from the colonial era to the outbreak of the Civil War.
- ☐ I can explain how laws and policy, courts, and individuals and groups contributed to or pushed back against the quest to end slavery.
- ☐ I can create an argument using evidence from primary sources.
- ☐ I can analyze issues in history to help find solutions to present-day challenges.

## Building Context

Frederick Douglass was a severe critic of the decisions in the Civil Rights Cases and agreed with the court's sole dissenter, Justice John Marshall Harlan, that the Equal Protection Clause of the Fourteenth Amendment was intended to protect Black civil rights and the principle of equality. Douglass further connected the Fourteenth Amendment to the Declaration of Independence, the Constitution, and Founding principles.

## Frederick Douglass, "Speech on the Civil Rights Cases," 1883

Source: <https://teachingamericanhistory.org/document/the-civil-rights-case/>

We have been, as a class, grievously wounded . . . This decision of the Supreme Court admits that the Fourteenth Amendment is a prohibition on the States. It admits that a State shall not abridge the privileges or immunities of citizens of the United States, but commits the seeming

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absurdity of allowing the people of a State to do what it prohibits the State itself from doing. . . . What does it matter to a colored citizen that a State may not insult and outrage him, if a citizen of a State may?

The effect upon him is the same . . .  
Its [Civil Rights Bill] voice was against popular prejudice and meanness. It appealed to all the noble and patriotic instincts of the American people. It told the American people that they were all equal before the law; that they belonged to a common country and were equal citizens. . . .

If it is a Bill for social equality, so is the Declaration of Independence, which declares that all men have equal rights; so is the Sermon on the Mount, so is the Golden Rule, that commands us to do to others as we would that others should do to us. so is the Constitution of the United States, and so are the laws and customs of every civilized country in the world; for no where, outside of the United States is any man denied civil rights on account of his color.

### Comprehension and Analysis Questions

1. How would you characterize Douglass's tone in this speech? Support your answers with words or phrases from the speech

2. In your own words, restate Douglass's argument against the decision in the Civil Rights Cases.